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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/047,859	01/15/2002	Mikael Johansson	8194-583	5132

20792 7590 12/29/2006
MYERS BIGEL SIBLEY & SAJOVEC
PO BOX 37428
RALEIGH, NC 27627

EXAMINER

PHAM, BRENDA H

ART UNIT	PAPER NUMBER
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2616

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/29/2006	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/047,859

Applicant(s)

JOHANSSON ET AL.

Examiner

Brenda Pham

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11/08/06.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-13,15-20 and 22-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3-13, 15-20, 22-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

BRENDA PHAM
PRIMARY EXAMINER

Brenda A. Pham

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 12/18/06
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1, 3-13, 15-20, 22-26 are currently pending in the application.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 5-6, 8-9, 11, 13, 16, 18, 20, 23 and 25 are rejected under 35 U.S.C. 102(b) as being anticipated by AOKI (US 4, 983,090).

Regarding claims 1, 8-9, 13, 18, 20, 25, AOKI discloses a method of configuring a wireless base station of a wireless mobile data communications system, the method comprising (referring to figure 1 and 10): determining a port number/Internet address to be assigned to the wireless base station (server provider (SP) determining an Internet address (IP1) to be assigned to the wireless base station, see step ADDRESS IP1 ASSIGNED of figure 10, column 8, line 1-5); communicating a datagram including the assigned port number and/or Internet address in a destination field of a header of the datagram from a controller of the wireless mobile data communications system to the wireless base station via a backbone network of the wireless mobile data communications system (figure 1 shows server provider assigned IP1 address to BS via public network, abstract shows the base station changes the destination address of data sent by the service provider from "IP1" for the base stations to "IP2" for the mobile

Art Unit: 2616

stations for subsequent transfer to the mobile station); and responsive to receipt of the datagram at the wireless base station, configuring the wireless base station to accept datagram addressed to the assigned port number/Internet address (figure 10 shows step of receiving data using IP1 address also see abstract).

Regarding claims 5-6, 11, 16, 23, AOKI further teaches communicating the datagram according to IP.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3, 4, 7, 10, 12, 15, 17, 19, 22, 24, 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over AOKI (US 5,983,090) in view of Applicant's Admitted Prior Art.

Regarding claims 7, 12, 17, 19, 24 and 26, as explained in the rejection statement of claims 1, 13, 18, 20 and 35 (parent claims). AOKI discloses all claimed limitations recited in parent claims. AOKI does teach wherein the wireless mobile data communications system comprising a Cellular Digital Packet Data (CDPD) system, and wherein the wireless base station comprises a Mobile Data Base Station (MDBA). The Applicant's Admitted Prior Art (figure 1, page 1) teaches this limitation.

Therefore, it would have been obvious to those having ordinary skill in the art at the time of the invention was made to implement the method of AOKI in the conventional Cellular Digital Packet Data (CDPD) communications system, such as teach in Applicant's Admitted Prior Art.

Regarding claims 3, 4, 10 15, 22, as explained in the rejection statement of claims 1, 18, 13 and 20 (parent claims) AOKI discloses all claimed limitations recited in parent claims. AOKI does not teach communicating the routed datagram to the wireless base station via a frame relay connection between the wireless base station and the router. This limitation is taught by Applicant's Admitted Prior Art shows in figure 1.

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to implement the step of communicating the datagram to the wireless base station via a frame relay connection between the wireless base station and the router via a conventional Cellular Digital Packet Data communication system, such as taught by Applicant's Admitted Prior Art.

Response to Arguments

6. Applicant's arguments filed 11/08/06 have been fully considered but they are not persuasive. Applicant argued in REMARKS that "while Aoki does show assigning an IP address IP1 to a base station, Aoki does not disclose that "the assigned port number and/or internet address" is ***"in a destination field of a header of the datagram"*** as recited in claim 1 or related recitations from independent claims 8, 13, 18, 20 and 25.

Examiner respectfully disagrees because Aoki indeed discloses this claimed limitation.

As shows in column 6, lines 13-20, Aoki teach, "the server of the service provider SP sends to the base station BS1 data in which IPx is set as the source address and IP1 is set as the destination address. Upon receipt of the data over the public network PNW, the base station BS1 changes the address indicating the location to which the data is sent from the IP1 for base stations to the IP2 for mobile station." From the above teaching shows that IP1 is the destination address and is assigned to Base Station by service provider (see figure 10). IP1 is the destination address and is in the destination field of the header of the packet. Furthermore, figure 4 shows a standard packet that includes in header portion an IPX source address and IP1 destination address and payload portion (data). Aoki indeed teaches the arguable feature. Examiner believes Aoki teaches and render obvious all claims limitations. Therefore, the claims remain rejected.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

Art Unit: 2616

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

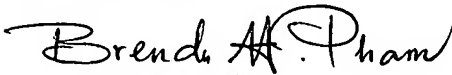
Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brenda Pham whose telephone number is (571) 272-3135. The examiner can normally be reached on Monday-Friday from 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn D. Feild, can be reached on (571) 272-2092.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

December 15, 2006
Brenda Pham


BREND A PHAM
PRIMARY EXAMINER